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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,618	08/31/2001	Toshihiro Yajima	501.40560X00	9083

20457 7590 05/31/2005

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EXAMINER

SHANKAR, VIJAY

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/942,618

Applicant(s)

YAJIMA ET AL.

Examiner

VIJAY SHANKAR

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12-28-04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 1-4 and 8-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-7 and 12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
2. Applicant's election with traverse of Species 18, comprising Claims 5-7 in the reply filed on 5-17-2004 is acknowledged. The traversal is on the ground(s) that there are some generic claims. This is not found persuasive because upon allowance some generic claims can be claimed which depends on Independent Claim 5. The application has 18 different Embodiment in the specification and Applicant elected Embodiment 18 related to Figure 41 and Claims 5-7 and 12; and all other Claims are not part of this Embodiment 18 and Figure.41.

The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 5-7 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Hur et al (US2004/0232853A1).

Regarding Claim 5, Hur et al teaches a liquid crystal display device (paragraph 0001) comprising: a liquid crystal display panel having a display part in its central portion except its periphery (paragraph 0001-0004); and a backlight disposed on a back side of the liquid crystal display panel (paragraph 0005-0009), the backlight including a discharge tube having electrodes at least at its opposite ends (figs.15-16; paragraph 0082-0086), the electrodes being disposed at the exterior of the discharge tube, at least one of the opposite end portions of the discharge tube where the respective electrodes are disposed is constructed as a bent portion which is bent with an angle with respect to the central axis of the discharge tube (Figures 15-16, 19-21; paragraph 0085-0096), at least the portion of the bent portion where the electrode is formed being superposed in the area of the display part of the liquid crystal display panel (Figures 15-16, 19-21; paragraph 0085-0096).

Regarding Claim 6, Hur et al teaches a liquid crystal display device wherein at least one of the opposite end portions of the discharge tube where the respective electrodes are disposed is bent at greater than 90 and not greater than 180 with respect to the central axis of the discharge tube (Figures 15-16; paragraph 0085-0089).

Regarding Claim 7, Hur et al teaches a liquid crystal display device wherein at least one of the opposite end portions of the discharge tube where the respective electrodes are disposed is bent at 180 with respect to the central axis of the discharge tube toward the opposite side to the liquid crystal display panel (Figures 15-16; paragraph 0085-0089).

Regarding Claim 12, Hur et al teaches a liquid crystal display device wherein the area of the display part of the liquid crystal display panel in which at least a portion of the bent portion where the electrode is formed and is superposed is an effective emission area of the display part of the liquid crystal display panel. (Figures 15-16; paragraph 0085-0093).

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 5-7, 12 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

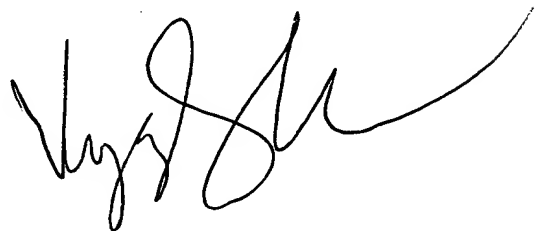
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hori teaches the backlight unit for the LCD.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VIJAY SHANKAR whose telephone number is (571) 272-7682. The examiner can normally be reached on M-F 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BIPIN SHALWALA can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Vijay Shankar', with a long, sweeping horizontal line extending to the right.

VIJAY SHANKAR  
Primary Examiner  
Art Unit 2673

VS